

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROBERT GRIFFIN,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-09-0307-F
)	
PAUL A. KASTNER,)	
)	
Respondent.)	

ORDER

In this action, petitioner, a federal prisoner, seeks habeas relief under 28 U.S.C. § 2241. Petitioner appears *pro se*, and his pleadings are liberally construed.

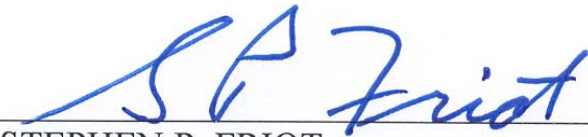
Magistrate Judge Bana Roberts entered her Report and Recommendation in this matter on September 3, 2009. (Report, doc. no. 15.) In that Report, the magistrate judge recommends that respondent's motion to dismiss (doc. no. 13) be granted and that the petition be dismissed as moot. The Report further advised petitioner of his right to file an objection to the Report by September 23, 2009. No objection has been filed, and no request for an extension has been made. The Report also advised that failure to make timely objection to the Report waives the right to appellate review of the factual and legal issues addressed in the Report.

After review of the Report, the record, and the relevant authorities, and with there being no objection, the court finds and concludes that it concurs with the magistrate judge's determinations and that no purpose would be served by repeating those determinations, or any analysis, here.

Accordingly, the Report and Recommendation of Magistrate Judge Bana Roberts is **ACCEPTED**, **ADOPTED**, and **AFFIRMED** in its entirety. For the

reasons stated in the Report, the motion to dismiss of the respondent is granted and the petition is dismissed as moot.

Dated this 14th day of October, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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